

PATENT COOPERATION TREATY

From: the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) **22 MARCH 2005 (22.03.2005)**

Applicant's or agent's file reference
PCT04-057

FOR FURTHER ACTION
See paragraph 2 below

International application No.

PCT/KR2004/002857

International filing date (day/month/year)

05 NOVEMBER 2004 (05.11.2004)

Priority date(day/month/year)

05 NOVEMBER 2003 (05.11.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC7 H04B 7/26

Applicant

SK TELECOM CO., LTD. et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



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WRITTEN OPINION OF THE
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International application No.

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 46	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1 - 46	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1 - 46	YES
	Claims	NONE	NO

2. Citations and explanations :

1. NOVELTY AND INVENTIVE STEP

Reference is made to the following documents:

D1 : US 2002/0085523 A1 (LG ELECTRONICS INC.) 4 July 2002

D2 : US 2001/0030956 A1 (GOPA CHILLARIGA ET AL.) 18 October 2001

D3 : US 2002/0037726 A1 (STANISLAW CZAJA ET AL.) 28 March 2002

The subject matter of claims 1-46 is a method and system of designating a frequency assignment (FA) mode for presenting broadcast/multicast service (BCMCS) and/or a ratio for BCMCS service assignment in CDMA 1xEV-DO system.

On the other hand, D1 discloses a method for enabling mobile terminals of a second generation (IS-95, IS-95B) and a third generation (IS-2000) to be operated using a CDMA channel list and an extended CDMA channel list.

D2 discloses a dynamic channel allocation method and system which employs a reservation set for reserving channels and an allocation set corresponding to the reservation set for receiving allocated channels. The said dynamic channel allocation system changes the said reservation set and the said allocation set as a function of network parameter to control a dynamic channel operation.

D3 discloses a soft handoff method between the second and third generation CDMA systems by modifying a message structure.

The prior arts including D1, D2 and D3 do not disclose the subject matter of claims 1-46. Even though the prior arts may be combined, it is not obvious to a skilled person in a CDMA communication system to derive the subject matter of claims 1-46 from the prior arts.

Therefore, the subject matter of claims 1-46 is considered to meet the requirement of PCT Article 33(2) and 33(3) in respect of novelty and inventive step.

2. INDUSTRIAL APPLICABILITY

Claims 1-46 are considered to meet the requirement of PCT Article 33(4) in respect of an industrial applicability.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. Claim 10 is a multiple dependent claim which refers to claim 1 and claim 9, and the said claim 9 is a multiple dependent claim which refers to claim 1 and claim 8. Therefore, the said claim 10 does not meet the requirement of PCT Rule 6.4(a).
2. Description of the present application refers to figures 6 and 7. However, the said figures are omitted in the drawings.